

REMARKS

Claims 47-50, 52-75 and 106 are pending. Claims 1-46 were cancelled in a preliminary amendment. Claims 51 and 76-105 are cancelled in the present response as being drawn to non-elected inventions. Support for new claim 106 is found in the specification and claims as originally filed. Accordingly,

Restriction Requirement

A restriction to the following invention is required under 35 U.S.C. § 121:

Group I (*claims 47-50 and 52-75*) drawn to a composition comprising an electrode comprising a self-assembled monolayer comprising nucleic acid probes attached to said electrode with a spacer and a hybridization indicator, classified in class 422, subclass 68.1. If this Group is elected, then an election of species is also required.

Group II (*claim 51*) drawn to a composition comprising a hybridization complex which further comprises one or more electron donors and acceptor moieties wherein one of said moieties is an electrode and the other is an intercalator, classified in class 422, subclass 68.1.

Group III (*claim 76-105*) drawn to a method of detecting a target sequence utilizing to compositions comprising an electrode comprising a self-assembled monolayer comprising nucleic acid probes attached to said electrode with a spacer and a hybridization indicator, classified in class 435, subclass 6. If this Group is elected, then an election of species is also required.

In response to the Restriction Requirement, Applicants elect for further prosecution the claims of Group I, namely Claims 47-50 and 52-75, and new claim 106, drawn to a composition comprising an electrode comprising a self-assembled monolayer comprising nucleic acid probes attached to said electrode with a spacer and a hybridization indicator. This election is made without traverse.

Species Election

If Group I is elected, Applicants are further required to elect:

- 1) one of specie A or B; and,
- 2) one of specie C, D, or E

Applicants hereby elect:

- 1) specie A, a composition comprising an array of electrodes; and,
- 2) specie D, a composition comprising wherein the spacer is an insulator.

The elections of specie A and D are reflected in new claim 106, which is drawn to a composition comprising an array of electrodes, each electrode comprising a self-assembled monolayer comprising nucleic acid probes attached to said electrode with a spacer comprising an insulator; and a hybridization indicator.

Additionally, Applicants are required to identify the claims readable on the elected species. Claims 47-50 and 52-75 read on the species elected. This election is made without traverse.

Finally, Applicants note that Claims 47-50 and 52-61 are generic to specie A (see Office Communication, page 3), and claims 47-50, 52-56, 60-70 and 74-75 are generic to specie D (see Office Communication, page 5). Thus, Applicants assume that claims 47-60, 52-70, and 74-75 are generic to specie A and D.

Please direct further questions in connection with this Application to the undersigned at (415) 781-1989.

Respectfully submitted,
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